

Minutes

*of a Meeting of the Council of the City of Kenora
held Monday, March 22, 2004 – City Chambers
5:00 p.m.*

~~~~~

**WITH Mayor D. Canfield in the Chair, Councillor L. Compton, Councillor R. McMillan, Councillor I. Parkes, Councillor A. Poirier, Councillor T. Szajewski, Councillor C. Wasacase, Bill Preisentanz, CAO, Joanne L. McMillin, City Clerk.**

## **Call to Order**

**Mayor Canfield called the meeting to order and Councillor Szajewski read the Prayer.**

## **CONFIRMATION OF MINUTES**

**1.Moved by L. Compton, Seconded by R. McMillan & Carried:-**

THAT the Minutes of the last Regular Meeting of Council of the City of Kenora held **Monday, February 23, 2004** be confirmed as written and circulated.

## **DECLARATIONS OF PECUNIARY INTEREST**

Mayor Canfield then asked if any Member of Council had any Declarations of Pecuniary Interest with respect to any items on the Agenda.

Councillor Compton made a Declaration of Pecuniary Interest with respect to a property matter reviewed by Committee of the Whole during its Closed Session on March 16. Due to his being a Real Estate Agent and having a property listed that is associated to this item, he advised he vacated the Council Chambers while this item was discussed by Committee.

## **DEPUTATIONS:**

### **Don Canfield – Laurenson Lake**

Mr. Canfield, on behalf of residents of Laurenson Lake presented a Petition to Council opposing the City's proposed plan to dump storm sewer water into the lake as a result of the Highway 17 East development.

The Petition cites the following reasons why dumping should not take place: many residents live on the small lake and it should not be further compromised; some residents have septic fields; there is a great deal of run-off from the highway that contains salt, oil, gas and other contaminants and the lake cannot endure any additional collection for drainage; residents take drinking water from the lake and use wells as their source of water; residents swim a great deal in the lake; and the dumping of storm sewer water will have a devastating effect given its small size and limited inflow and outflow.

Margaret Parkes advised she has been waiting for a response to her letter of March 10 to Mayor and Council that set out a number of inquiries and concerns pertaining to this matter, and questioned when she could expect a response to her letter?

Mayor Canfield explained there will be an Open House held in the next short while on this matter at which time her answers will most likely be addressed.

David Schwartz also advised he had been researching Environmental Protection documents very thoroughly and the affects of urban run-off. He mentioned he had e-mailed this information to Members of Council earlier.

#### **Art Peters – Hidden Trail Road**

Mr. Peters expressed concerns on the Hidden Trail Road that goes directly through his property and advised this matter has gone to the Ontario Municipal Board, although he is displeased with a number of issues. His concerns centre on safety; speeding; environmental; ditching; water run-off; lack of road signs; snow removal; and questioned what is holding the hill in place? He mentioned there have been problems with this road over the last number of years and it was his understanding if this development had gone through as a subdivision rather than a severance these issues would not exist.

Mayor Canfield advised Mr. Peters the City would look into these issues.

#### **APPROVAL OF ACCOUNTS**

##### **2.Moved by R. McMillan, Seconded by C. Wasacase & Carried:-**

THAT the Reports dated **March 4 and 8, 2004**, of the Finance and Administration Committee, submitting for approval and authorization for payment, invoices, accounts and payroll summaries, including transfers to Boards and Commissions for municipal and utility listings, attached hereto, totalling **\$468,916.30** be hereby authorized for approval.

#### **ADOPT-A-BASKET FOR COMMUNITIES IN BLOOM**

##### **3.Moved by T. Szajewski, Seconded by C. Wasacase & Carried:-**

THAT Council hereby authorizes the purchase of two (2) hanging planters by the City of Kenora in support of the Communities in Bloom "Adopt-a-Basket Program" for a total cost of \$300 (all taxes included.)

#### **ATTENDANCE AT N.O.M.A.**

##### **4.Moved by I. Parkes, Seconded by L. Compton & Carried:-**

THAT a total combination of five (5) Members of Council and Staff be authorized to attend the 58<sup>th</sup> Annual General Meeting of NOMA taking place in Thunder Bay from April 28 to May 1, 2004; and further

THAT payment of expenses in accordance with the Council Travel & Per Diem Policy is hereby authorized for this purpose.

#### **ENDORSATON OF RESOLUTION – M.P.A.C. & VOTERS' LISTS**

##### **5.Moved by R. McMillan, Seconded by C. Wasacase & Carried:-**

THAT for the purpose of improving the accuracy and currency of the municipal voters' lists and the Ontario Population Reports, the City of Kenora requests the Province of Ontario to make available to the Municipal Property Assessment Corporation (MPAC) on a regular and on-going basis, records of all births and deaths in the province of Ontario as recorded in the Vital Statistics database maintained by the Ministry of Consumer and Business Services; and

THAT the Municipal Elections Act that currently requires the Preliminary List of Electors to be delivered on July 31 of an election year, be amended to permit a delivery date closer to election day; and further

THAT this resolution be forwarded to the Hon. D. McGuinty, Premier of Ontario, the Hon. Jim Watson, Minister of Consumer and Business Services, the Hon. J. Gerretsen, Minister of Municipal Affairs and Housing, the Association of Municipalities of Ontario, the Municipal Property Assessment Corporation, the Association of Municipal Managers, Clerks & Treasurers of Ontario, and the Hon. Howard Hampton, MPP, for support of these most needed enhancements.

**STOPPING UP, CLOSING AND SELLING LAND (FIRST PRO)****6.Moved by A. Poirier, Seconded by R. McMillan & Carried:-**

THAT Council give three readings to a by-law to stop up and close those parts of the streets and lanes as shown on Plans M.63 and M.44, in the City of Kenora, in the District of Kenora, designated as Parts 1, 2, 3, 4, 7, 8, 9, 10 and 11, on Plan 23R-10931 and to sell those lots, part lots, streets and lanes as shown on Plans M.63 and M.44, in the City of Kenora, in the District of Kenora being Parcel 43433.

**ASSUME STREETS & LANES – MIIKANA WAY****7.Moved by A. Poirier, Seconded by R. McMillan & Carried:-**

THAT Council give three readings to a by-law to assume those parts of the streets and two lanes in the Town of Kenora, now City of Kenora, in the District of Kenora, as shown on Registered Plan M.63 Designated as Parts 3 and 4 on Plan 23R-9553.

**ASSUME STREETS & LANES – CONEY ISLAND****8. Moved by C. Wasacase, Seconded by R. McMillan & Carried:-**

THAT Council give three readings to a by-law to assume the streets and lanes as shown on Registered Plan M.13, on Coney Island in the Town of Kenora, now City of Kenora, in the District of Kenora.

**APPROPRIATION FROM RESERVES – PORTAGE BAY BRIDGE****9. Moved by R. McMillan, Seconded by T. Szajewski & Carried:-**

THAT Council authorize an appropriation from the Keewatin Downloaded Roads Reserve in the amount of \$647,735.20 as of 31 December 2003 to fund the balance of the expenditures related to the 2002 emergency repairs to the Portage Bay Bridge.

**APPROPRIATION TO CONTINGENCY-FUTURE BENEFITS****10. Moved by R. McMillan, Seconded by T. Szajewski & Carried:-**

THAT Council authorize an appropriation to contingency reserve in an amount of \$1,111,712, effective 31 December 2003, based on the difference between the original estimated future employee benefits and those calculated by Mercer as at 31 December 2003.

**PROTECTED NEIGHBOURHOOD CONTINGENCY RESERVES****11.Moved by T. Szajewski, Seconded by C. Wasacase & Carried:-**

THAT Council approve the reallocation of the net proceeds from the Keewatin-Kenora Business Development Centre from the existing common contingency reserve, representing the amount of \$143,450.11 to each of the City's protected neighbourhood contingency reserves for the former geographic boundaries of Keewatin and Kenora, in accordance with the

instructions as set out in the original Minister’s order for the restructuring of the Towns of Kenora, Keewatin and Jaffray Melick.

**COMMUNITY SERVICES – SUMMER STUDENTS/LABOURERS**

**12. Moved by T. Szajewski, Seconded by C. Wasacase & Carried:-**

THAT Council of the City of Kenora receive the recommendation from the Community Services Committee, approving the hiring of one (1) labourer position for the Parks Department for 20 weeks (April 12 – August 27, 2004); and

THAT Council approve the hiring of three (3) summer students for the Lake of the Woods Cemetery (for 18 weeks each for a total of 54 weeks) from April 26 – August 27, 2004; and further

THAT Council approve the hiring of three (3) parks students for the Parks Department (for 14 weeks each for a total of 42 weeks) from May 17 – August 20, 2004.

***Councillor Wasacase advised that it would be necessary to Table Motion #13 until further information is received and Council concurred.***

**#13. MOTION TABLED:**

**TRAFFIC BY-LAW AMENDMENT–NO PARKING/TOW AWAY ZONE**

THAT the City of Kenora Traffic Regulation Bylaw 127-2001 be amended to include the following addition to Schedule “B” – No Parking Area – Tow Away Zone

|                                 |                                           |                 |                 |
|---------------------------------|-------------------------------------------|-----------------|-----------------|
| <u>Column 1</u>                 | <u>Column 2</u>                           | <u>Column 3</u> | <u>Column 4</u> |
| Add: 6 <sup>th</sup> Ave. South | From Park Street<br>southerly to the lane | East            | Anytime         |

**TRAFFIC BY-LAW AMENDMENT–LIMITED/RESTRICTED PRKG**

**14.Moved by T. Szajewski, Seconded by C. Wasacase & Carried:-**

THAT the City of Kenora Traffic Regulation Bylaw 127-2001 be amended to include the following addition to Schedule “C” - Limited / Restricted Parking:

|                                |                                               |                 |                       |
|--------------------------------|-----------------------------------------------|-----------------|-----------------------|
| <u>Column 1</u>                | <u>Column 2</u>                               | <u>Column 3</u> | <u>Column 4</u>       |
| Add: 1 <sup>st</sup> Street N. | From Matheson St.<br>North east for 30 meters | North           | 15 minutes<br>Anytime |

**LEASE PAY OUT ON D5H CATERPILLAR**

**15.Moved by A. Poirier, Seconded by L. Compton & Carried:-**

THAT the City of Kenora pay out the remainder of the D5H Caterpillar Lease as follows:

|                 |                     |
|-----------------|---------------------|
| Lease Remainder | \$153,642.98        |
| P.S.T.          | 12,291.44           |
| Admin Fee       | <u>535.00</u>       |
|                 | <b>\$166,469.42</b> |

**RELEASE OF TENDER - FRONT END LOADER**

**16.Moved by A. Poirier, Seconded by L. Compton & Carried:-**

THAT the City of Kenora release a tender for the purchase of two Front End Loader low hour units complete with the needed options to suit our operational needs; and further

THAT the 1985 Case W20 (403) and the 1986 544D (847) be offered as trade-in units.

**WATER TREATMENT PLANT REPORT – JULY – DECEMBER 2003****17. Moved by L. Compton, Seconded by R. McMillan & Carried:-**

THAT the City of Kenora receives the 2003 Water Treatment Plant Report, for the period July 1, 2003 to December 31, 2003, as prepared by Warren Ortlieb, Water and Sewer Supervisor.

**ZONING BY-LAW AMENDMENT – LAJEUNESSE/MCKIM****18. Moved by C. Wasacase, Seconded by R. McMillan & Carried:-**

THAT Application No. Z02/04 Lajeunesse/McKim, for Amendment to Zoning By-law No. L37/95 at the James Road, to rezone from "ML" Light Industrial to "R" Rural, be approved.

**PROCLAMATION – "DAFFODIL MONTH"****19. Moved by L. Compton, Seconded by I. Parkes & Carried:-**

THAT the Mayor be and is hereby authorized to proclaim April, 2004 as "Daffodil Month" in and for the City of Kenora; and further

THAT City Hall fly the Canadian Cancer Society Flag during the month of April.

**TENDER – ADMINISTRATION VAN****20. Moved by A. Poirier, Seconded by L. Compton & Carried:-**

THAT the following tenders for the purchase of one (1) Administration Van, be received:-

|                        |   |                    |
|------------------------|---|--------------------|
| <b>Dingwall Ford</b>   | - | <b>\$30,907.40</b> |
| <b>Kantola Motors</b>  | - | <b>\$30,041.41</b> |
| <b>Derouard Motors</b> | - | <b>\$28,027.80</b> |
| <b>Bayview Toyota</b>  | - | <b>\$34,153.85</b> |

AND FURTHER that the tender from Derouard Motors in the amount of \$28,027.80, taxes included, be hereby accepted.

**BY-LAWS – FIRST & SECOND READING****21. Moved by I. Parkes, Seconded by L. Compton & Carried:-**

**THAT** the following By-laws be read a **FIRST & SECOND** Time:~

**#23-2004** – to confirm proceedings of the March 16 Committee of the Whole Meeting;

**#24-2004** – to assume the streets and lanes on Plan M.13 on Coney Island;

**#25-2004** – to assume the parts of streets and two lanes on Plan M.63 for Miikana Way;

**#26-2004** – to stop up and close those streets and lanes on Plans M.63 & M.44 and sell those streets lanes and lots on Plans M.63 & M.44 being the former Public Works Yard;

~~**#27-2004** – to amend Traffic By-Law 127-2001 to authorize a No Parking Tow Away Zone on 6<sup>th</sup> Ave. at Park Street;~~ **TABLED**

**#28-2004** – to amend Traffic By-Law 127-2001 to authorize Limited/Restricted Parking on 1<sup>st</sup> St. North and Matheson Street;

**#29-2004** – to amend Comprehensive Zoning By-Law No. L37/95 as amended (Lajeunesse/McKim).

**BY-LAWS – THIRD & FINAL READING****22. Moved by I. Parkes, Seconded by R. McMillan & Carried:-**

**THAT** the following **By-laws** be now approved in their present form and be presented for **THIRD AND FINAL** Reading:-

**#23-2004** – to confirm proceedings of the March 16 Committee of the Whole Meeting;

**#24-2004** – to assume the streets and lanes on Plan M.13 on Coney Island;

**#25-2004** – to assume the parts of streets and two lanes on Plan M.63 for Miikana Way;

**#26-2004** – to stop up and close those streets and lanes on Plans M.63 & M.44 and sell those streets lanes and lots on Plans M.63 & M.44 being the former Public Works Yard;

~~**#27-2004** – to amend Traffic By Law 127-2001 to authorize a No Parking Tow Away Zone on 6<sup>th</sup> Ave. at Park Street;~~ **TABLED**

**#28-2004** – to amend Traffic By-Law 127-2001 to authorize Limited/Restricted Parking on 1<sup>st</sup> St. North and Matheson Street.

**#29-2004** – to amend Comprehensive Zoning By-Law No. L37/95 as amended (Lajeunesse/McKim).

**ANNOUNCEMENTS**

Councillor Poirier requested that 'for the record' the Miner and News make a correction to his comments that were misquoted during last week's Committee of the Whole meeting concerning the Kenora Police Service and overtime/budget discussions.

**ADJOURNMENT**

**23. Moved by L. Compton, Seconded by I. Parkes & Carried:-**

**THAT** this meeting be now declared closed a 5:34 p.m.

***THE CORPORATION OF THE CITY OF KENORA:***

**CONFIRMED AS WRITTEN THIS .....DAY OF**

**.....2004**

.....  
**MAYOR**

.....  
**CITY CLERK**